

**DOCKET NO.:** CELG-0119  
**Application No.:** 09/283,645  
**Notice of Allowance Dated:** December 23, 2004

**PATENT**

### **REMARKS**

The Applicants wish to thank the Examiner for issuing a Notice of Allowance for the present application. With respect to the Examiner's Reason for Allowance, the Jursic reference does not appear to disclose salt isolation. The reference allegedly shows, at most, NMR spectra that, as recognized in the art and acknowledged by the authors, were generated using an analytical technique that did not involve isolation of acid salts. The Examiner contends that Jursic teaches that the "adducts of chiral resolving agents with 2-phenyl-2-(2-piperidyl)acetamide are resolvable." Applicants respectfully traverse and assert that there is no showing that the Jursic reference teaches actual resolution of the adducts or physical isolation of the salts as one skilled in the art would understand "isolation" to mean.

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